

# HOUSE BILL No. 1221

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 3-5-9.

**Synopsis:** Voter assistance. Establishes in the election division an office of voter assistance (office) headed by a director appointed by the election commission. Requires the office to undertake activities to reduce impediments to voting and counting votes cast, including conducting statewide audits, establishing an advisory commission, recommending changes in election law or practices, providing educational materials, and maintaining a voter hotline and web site. Allows a county election board to appoint a local voter advocate to assist voters, maintain a local voter hotline, and report to the office after each election concerning complaints received, provisional ballots cast, counted, and not counted, sustained ballot challenges, voter registration and proof of identification problems, and other impediments to voting or counting votes cast.

**Effective:** July 1, 2009.

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**Bartlett**

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January 12, 2009, read first time and referred to Committee on Elections and Apportionment.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## HOUSE BILL No. 1221

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 3-5-9 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2009]:

4 **Chapter 9. Voter Assistance Programs**

5 **Sec. 1. As used in this chapter, "director" refers to the director**  
6 **of the office.**

7 **Sec. 2. As used in this chapter, "office" refers to the office of**  
8 **voter assistance established by section 3 of this chapter.**

9 **Sec. 3. (a) An office of voter assistance is established in the**  
10 **election division.**

11 **(b) The commission shall appoint a director of the office.**

12 **(c) The director serves at the pleasure of the commission.**

13 **Sec. 4. The office shall do the following:**

14 **(1) Conduct a statewide audit of the most common**  
15 **impediments to counting the votes cast by individuals who are**  
16 **qualified and desire to vote.**

17 **(2) Report the findings of an audit described in subdivision (1)**

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to the following:

(A) The commission.

(B) The secretary of state.

(C) The general assembly in an electronic format under IC 5-14-6.

(3) Establish an advisory commission comprised of representatives of groups dedicated to voter participation. The director shall chair the advisory commission.

(4) Recommend changes to the law or the practices of election officials in order to reduce impediments to voting.

(5) In cooperation with the commission, the secretary of state, county election boards, and other interested parties, produce and distribute voter education materials, including information about the voter's bill of rights prescribed under IC 3-5-8.

(6) Establish and maintain at all times a voter telephone hotline and web site that are capable of taking inquiries and answering questions from the voting public concerning voter assistance issues.

(7) Assist county election boards and local voter advocates in efforts to reduce impediments to:

(A) voting; and

(B) counting votes cast.

Sec. 5. (a) A county election board may appoint a local voter advocate who serves at the pleasure of the county election board.

(b) The county fiscal body shall provide funding for the activities of a local voter advocate.

Sec. 6. A local voter advocate shall do the following in the county of the election board that appointed the local voter advocate:

(1) Coordinate all voter assistance activities for the following:

(A) The county election board (including a board of elections and registration established under IC 3-6-5.2 or IC 3-6-5.4).

(B) The county voter registration office.

(2) Establish and maintain a local voter assistance telephone hotline that is capable of answering questions from the voting public concerning local voter assistance issues.

(3) After each election conducted in the county, compile and report to the office information about the following:

(A) Complaints filed concerning voting activities.

(B) The number of provisional ballots cast and counted.

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- 1 (C) The number of provisional ballots that were not  
2 counted because the provisional voter did not provide  
3 proof of identification.  
4 (D) The number of ballots that were challenged and the  
5 number of ballots for which the challenges were sustained.  
6 (E) The number of voter registration applications rejected  
7 and reasons for which the applications were rejected.  
8 (F) Individuals who were unable to obtain proof of  
9 identification for voting as the result of legal or  
10 institutional impediments.  
11 (G) Impediments to:  
12 (i) voting; or  
13 (ii) counting votes cast;  
14 not otherwise reported in clauses (A) through (F).

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